

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,)	3:15-CR-496-L
Government,)	
)	
VS.)	DALLAS, TEXAS
)	
MATTHEW HEBERT,)	
Defendant.)	November 17, 2015

TRANSCRIPT OF INITIAL APPEARANCE AND ARRAIGNMENT HEARING
BEFORE THE HONORABLE PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

A P P E A R A N C E S:

FOR THE GOVERNMENT:

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23 Proceedings reported by mechanical stenography and
24 transcript produced by computer.

1 INITIAL APPEARANCE AND ARRAIGNMENT HEARING - NOVEMBER 17, 2015

2 P R O C E E D I N G S

3 THE COURT: Court calls United States of America
4 versus Matthew Hebert, 3:15-CR-496.

5 MR. WEILAND: Good afternoon, Judge.

6 THE COURT: Good afternoon.

7 Mr. Weiland, you're making an appearance for
8 Mr. Hebert for all purposes?

9 MR. WEILAND: Yes, sir.

10 THE COURT: Mr. Hebert, this is your initial
11 appearance on an indictment in this district. You have the
12 right to remain silent. Anything you say can and will be used
13 against you in a court of law.

14 You also have a right to an attorney. And if you
15 cannot afford an attorney, I would appoint one at no cost to
16 you.

17 Do you understand those rights?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Are you asking -- well, of course, you're
20 not asking me to appoint counsel.

21 Have you received a copy of this indictment?

22 MR. WEILAND: He hasn't, Judge. I'm just able to
23 show him this because we just received it a few moments ago --
24 a few minutes ago.

25 THE COURT: All right.

1 MR. WEILAND: But he's familiar with the -- in
2 general with the charges, Judge. We've been talking with the
3 Government for a long time.

4 THE COURT: Okay. Mr. Hebert, do you understand what
5 the indictment says that you did?

6 THE DEFENDANT: Yes.

7 THE COURT: Sufficiently enough to enter a not-guilty
8 plea today?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: All right. How old are you, sir?

11 THE DEFENDANT: 37 years old.

12 THE COURT: What year were you born?

13 THE DEFENDANT: 1978.

14 THE COURT: In the last six months have you been
15 under the care of a physician or a psychiatrist?

16 THE DEFENDANT: No, I have not.

17 THE COURT: Do you suffer from any mental or
18 emotional disability or problem?

19 THE DEFENDANT: I do not.

20 THE COURT: Are you now under the influence of
21 alcohol or any other drug?

22 THE DEFENDANT: No, sir.

23 THE COURT: Are you of sound mind and you understand
24 why you are here?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: To the charges contained in the
2 indictment, how do you plead? Guilty or not guilty?

3 THE DEFENDANT: Not guilty.

4 THE COURT: A not-guilty plea is entered. Judge
5 Lindsay will set the dates of trial, motion deadlines, and
6 other matters.

7 The Government's position on bond?

8 MS. MARTIN: Your Honor, the Government is not moving
9 to detain Mr. Hebert, but we would request the same conditions
10 that the Court set for Mr. Geissler.

11 THE COURT: Okay. Mr. Weiland, any objection?

12 MR. WEILAND: We understand those, Your Honor.

13 THE COURT: All right. I am going to order you
14 released on your own promise to appear at future court
15 appearances. While on release you're not to commit any crimes,
16 state, federal, or local.

17 You're not to possess a firearm or a destructive
18 device.

19 And you must appear at all court appearances.

20 While on release you're to be under pretrial
21 supervision.

22 You're to continue or actively seek employment.

23 Surrender any passport to the United States District
24 Clerk. Do you have that with you today? Do you have a
25 passport?

1 THE DEFENDANT: I have a passport, but it's not with
2 me today.

3 THE COURT: By tomorrow at 4:00 it has to be
4 surrendered to the Clerk's Office of the Court.

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Avoid all contact, directly or
7 indirectly, with any person who is or may become a victim or a
8 witness in the investigation or prosecution of this case,
9 including no contact with any co-defendant in this case other
10 than co-defendants with USP Labs, Inc. And the purposes of
11 those meetings are just to run the corporation or wind it up.

12 Do you understand that, sir?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: You're not to possess a firearm or
15 destructive device.

16 You're not to use any alcohol excessively.

17 You're not to possess any narcotic drug or use any
18 narcotic drug or any other controlled substance unless
19 prescribed by a licensed medical practitioner, and submit to
20 testing for the use of a controlled substance.

21 I want you to provide any financial disclosures that
22 you can work out, Mr. Weiland, between your client and the
23 Government.

24 What other conditions would the Government ask that I
25 impose?

1 MS. MARTIN: Your Honor, I may just not have been
2 paying attention, but did you restrict his travel to the state
3 of Texas?

4 THE COURT: State of Texas is all you're allowed to
5 travel in without the permission of the Court. If you need to
6 go somewhere else, you have to get permission of the Court.

7 Do you understand that as well?

8 THE DEFENDANT: Yes, I do.

9 THE COURT: I'm going to hand down these conditions
10 of release. If you agree to abide by them, go ahead and sign
11 them.

12 I will inform you if you fail to appear at any court
13 appearance you're looking at an additional ten years in prison,
14 \$250,000.00 fine, or both.

15 Any time you receive for a failure to appear would
16 run consecutively, that is, in addition to any time you might
17 get on this underlying offense.

18 Do you understand that as well?

19 THE DEFENDANT: Yes, sir.

20 (Pause)

21 THE COURT: I am ordering Mr. Hebert released after
22 processing with the Marshal.

23 What other matters for the Government?

24 MS. MARTIN: Nothing from the Government, Your Honor.

25 THE COURT: For the defense?

1 MR. WEILAND: Nothing further, Judge. Thank you.

2 THE COURT: Thank you.

3 Good luck to you, sir.

4 THE DEFENDANT: Thank you, sir.

5 MR. WEILAND: Are we excused, Judge? May we be
6 excused?

7 THE COURT: Yes. Thank you.

8 MR. WEILAND: Thank you.

9 THE COURT: We will be in recess.

10 (Hearing adjourned)

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1 I, TODD ANDERSON, United States Court Reporter for the
2 United States District Court in and for the Northern District
3 of Texas, Dallas Division, hereby certify that the above and
4 foregoing contains a true and correct transcription of the
5 proceedings in the above entitled and numbered cause.

6 WITNESS MY HAND on this 18th day of April, 2016.

7
8
9 /s/Todd Anderson

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